REMARKS/ARGUMENTS

Claims 1-25 are pending in this Application.

Claims 1 and 25 are currently amended.

In the Office Action, claims 1, 10-12, 18, 19, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,128,885 (hereinafter "Janis") in view of U.S. Patent Application Publication No. 2001/0039545 (hereinafter "Nishizawa"), U.S. Patent No. 7,039,807 (hereinafter "Spitz"), and U.S. Patent Application Publication No. 2003/0078880 (hereinafter "Alley").

Claim Rejections Under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejections to claims 1-25 and request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) based on Janis, Nishizawa, Spitz, and Alley. The Office Action alleges that claimed invention is directed to obvious subject matter, in that the combination of Janis, Nishizawa, Spitz, and Alley expressly or impliedly disclose or suggest the claimed invention. The Office Action further alleges that one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of Janis, Nishizawa, Spitz, and Alley.

Applicants, however, respectfully submit that a prima facie case of obviousness has not been established by the evidence presented in the Office Action. As reiterated by the Supreme Court in KSR International Co. v. Teleflex Inc. (KSR), 550 U.S. ___, 82 USPQ2d 1385 (2007), the framework for the objective analysis for determining obviousness under 35 U.S.C. § 103 is stated in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966). The factual inquiries enunciated by the Court are as follows:

(A) Determining the scope and content of the prior art;

(B) Ascertaining the differences between the claimed invention and the prior art; and

(C) Resolving the level of ordinary skill in the pertinent art.

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PATENT

Applicants respectfully submit that Janis, Nishizawa, Spitz, and Alley, either individually or in combination, fail to disclose one or more of the claim limitations recited in each of claims 1-25. These differences, along with other difference, establish that the subject matter as a whole of claims 1-25 would not have been obvious at the time of invention to a person of ordinary skill in the art.

Applicants respectfully submit that Janis, Nishizawa, Spitz, and Alley, either individually or in combination, fails to disclose or suggest the computer-implemented method of collecting an electronic signature for an electronic record stored in a database as recited in claim 25. For example, claim 25 recites the feature of "receiving information defining one or more events associated with an industrial process, each event in the one or more events indicative of a set of one or more operations to be performed to accomplish a task in the industrial process." The Office Action alleges that Janis discloses the above recited feature. Applicants respectfully disagree.

As recited, each event is indicative of one or more operations to be performed to accomplish a tasks in an industrial process. As discussed previously, in some industries, a process can be viewed as a pre-defined method of producing goods. Such processes typically include several events and sub-events where an event is an operation or group of operations to be performed to accomplish a task. (Application: Paragraph [0029]). The execution of events such as these are time, material and resource sensitive. Organizations often desire to track the execution of events to make sure that the event has been completed as required by the process that the event is part of. To achieve this, checkpoints can be implemented at each event or sub-event to keep track of information such as: what is the event? who initiated the event? when was it initiated? who authorized the event? when was it completed? who confirmed the event completion? etc. (Application: Paragraph [0029]).

This information can be captured electronically and stored in a database so that it can be subsequently retrieved using query based user interfaces or reports. (Application: Paragraph [0030]). Embodiments of the invention allow a company or other organization to compile and store electronic records that track various events defined by the company.

Embodiments also allow electronic signatures to be captured and linked with their respective electronic data records so that the electronic signatures to be kept as part of a data record's audit trail. (Application: Paragraph [0030]). For example, claim 25 recites the feature of "storing data in the database in a plurality of different database tables in response to execution of one or more operations associated with the one or more events, the data related to the execution of the one or more operations."

Yet, Janis fails to disclose the above features in addition to the feature of "generating an electronic record in response to an occurrence of a predetermined event in the one or more events from at least a portion of the data stored in the plurality of different database tables" as recited in claim 25. In FIG. 3 of Janis, an event occurs in step 76. Janis simply discloses in with the occurrence of an activity or event "for which a document history is desired" in step 76, the event is logged in step 78. Yet, Janis fails to disclose that an electronic record is generated in response to an occurrence of a predetermined event as recited in claim 26. Specifically, in step 82, the exception report is only generated in response to the determination that there is not enough log memory available. Janis fails to disclose that the exception report is generated directly in response to occurrence of event in step 76 as recited in claim 25. Moreover, Janis discloses in Col. 2, lines 38-43 that the status of the history log "is periodically determined" and then the exception report is automatically determined.

Accordingly, Janis fails to disclose the link between occurrence of the event and the automatic generation of an electronic record as recited in claim 25. Moreover, Janis does not disclose or suggest that activities or events are indicative of a set of one or more operations to be performed to accomplish a task in the industrial process as recited in claim 25. In the background of Janis, it is disclosed that history logs are typically utilized to audit events and changes within the database to the resource objects. This is the context in which Janis discloses monitoring events. Furthermore, Janis fails to disclose "receiving information defining one or more events associated with an industrial process" as recited in claim 25.

Based upon the above and the acknowledged deficiencies of the cited references, Applicants respectfully submit that Janis, Nishizawa, Spitz, and Alley, either individually or in

combination, fail to disclose or suggest each and every one of the claim limitations recited in claim 25. Further, even if Janis, Nishizawa, Spitz, and Alley were combined as suggested in the Office Action (although there appears to be no motivation in the references for the combination and no reasonable expectation of success), the resultant combination would still not teach or suggest the above recited feature in claim 1.

Applicants respectfully submit that independent claims 1, 11, and 18 are allowable for at least a similar rationale as discussed above for the allowability of claim 25, and others. Applicants respectfully submit that dependent claims that depend directly and/or indirectly from independent claims 1, 11, and 18 respectively, are also allowable for at least a similar rationale as discussed above for the allowability of the independent claims. Applicants further respectfully submit that the dependent claims recite additional features that make the dependent claims allowable for additional reasons.

Unless otherwise specified, amendments to the claims are made for the purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

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